

REMARKS

In view of the rejections, claims 12 and 14 have been amended, and new claims 21 and 22 have been filed. Claims now amended are patentable over the cited references.

Rejection by Duffy, Jr.

In the Action, it was held that the first part has solid projections (32) and the second part has pressing portions (52) formed on the inner side thereof, and if Figure 3 is considered to be viewed from above, limitation regarding the orientation of the pressing portions relative to the projections is met.

In claim 12 now amended, the first part has a first base portion, a flat surface portion on the first base portion, and two rigid solid projections spaced apart from each other with the flat surface portion therebetween without a protrusion. In Duffy, Jr., the flexible engagement arms 32 are flexible to hold a pipe, and a first rigid engagement member 30 is formed between the flexible engagement arms 32. Namely, Duffy, Jr. does not have the two rigid solid projections, nor flat surface portion between the solid projections without a protrusion.

In claim 12, also, the solid projections extend throughout an entire length thereof along a longitudinal direction of the first part. In Duffy, Jr., the arms 32 extend half of the width of the base member 12, because the arms 32, 52 assembled together form the width of the base member 12.

Further, in claim 12, the pressing portions are formed so that when the first and second parts are assembled, the pressing portions are located immediately above the solid projections for elastically pressing the attaching portion of the band on to the solid projections. In Duffy, Jr., the arms 52 are not located immediately above the arms 32 and when the clip is used, the arms 32, 52 are located side by side.

As explained above, the features now clearly defined in claim 12 are not anticipated by Duffy, Jr.

Rejection by Muller et al.

In the Action, it was held that Muller et al. discloses an attaching device comprising a first part (lower 6) having solid, spaced apart projections (9, 10), a second part (upper 6) having pressing portions (9, 10), and an engagement means (5).

Muller et al. is directed to a holding clamp for connecting together two sheets of material, and as shown in Fig. 3, the holding clamp is attached to a part of a synthetic sheet to connect together by a screw. On the other hand, the present invention is directed to an attaching device for attaching a part member to an attaching portion of a band. The holding clamp in Muller et al. is entirely different from the attaching device of the invention.

In claim 12, the first part has the flat surface portion on the first base portion, and two rigid solid projections spaced apart from each other with the flat surface portion therebetween without a protrusion. In Muller et al., the resilient tabs 8(10), 9 are not solid, as in the invention, and the annular flange 7 projecting between the resilient bags is formed between the resilient tabs. Namely, Muller et al. does not have the two rigid solid projections, nor flat surface portion between the solid projections without a protrusion.

In claim 12, also, the solid projections extend throughout an entire length thereof along a longitudinal direction of the first part. In Muller et al., as clearly shown in Fig. 2, the resilient tabs 8, 9 extend about half of the width of the clamp.

Further, in claim 12, engaging means are formed with the first and second parts for engaging the same. In Muller et al., the engagement means referred to by the Examiner is a screw 5, not formed with the first and second parts.

Therefore, claim 12 is not anticipated by or obvious from Muller et al.

Since claim 12 is not obvious from Muller et al., claims 14-16, 19 and 20 depending from claim 12 are not obvious from Muller et al.

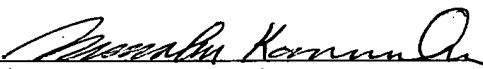
Further, in the rejection for claims 14-16, 19 and 20, especially claims 14, 15, 19 and 20, in the Action, the Examiner did not cite any other reference, while Muller et al. does not disclose any parts of the claims, and stated that the structure is well know or obvious. If these claims are still rejected, it is requested to cite prior art references showing the structures thereof.

Claims now pending in the application are patentable over the cited references.

Reconsideration and allowance are earnestly solicited.

Respectfully Submitted,

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